

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LLOYD WHITE,

Plaintiff,

VS.

STERLING FOODS, MRS. TERESA
LNU, ADMINISTRATOR; JAVIER
PATTON, DR. NICK LNU, HR
DIRECTOR; JUANITA GARZA, IRMA
GARZA,

Defendants.

SA-19-CV-00530-ESC

ORDER

Before the Court in the above-styled cause of action are Plaintiff's Motion for New Counsel [#100] and Plaintiff's Motion for Extension of Time and Motion for Sanctions [#105]. As to Plaintiff's motion for new counsel, the Court held an *ex parte* hearing on the motion on December 2, 2020, at which Plaintiff and his current counsel Malinda Gaul appeared telephonically. Plaintiff and Ms. Gaul both communicated to the Court that there has been a breakdown of the attorney-client relationship that is beyond repair. The Court provided Plaintiff with the choice of either proceeding with Ms. Gaul as his attorney or representing himself *pro se* in this action. Plaintiff indicated his preference to proceed *pro se*. Ms. Gaul informed Plaintiff and the Court that, at the expense to herself and her law firm, she would provide Plaintiff with copies of all existing discovery that has been exchanged between the parties, as well as a copy of the recent motion filed by Ms. Gaul on Plaintiff's behalf [#105]. The Court will not appoint Plaintiff a second attorney.

As to Plaintiff's motion for extension of time, this motion asks the Court to provide Plaintiff with more time to respond to Defendant's newly filed motion for summary judgment.

The Court held a pretrial status conference after the *ex parte* hearing, at which both Plaintiff and Defendants appeared. The Court will grant Plaintiff's request for additional time to prepare his *pro se* response to the motion for summary judgment. The Court also agreed to give Defendants additional time to respond to Plaintiff's motion for sanctions.

IT IS THEREFORE ORDERED that Plaintiff's Motion for New Counsel [#100] is **GRANTED IN PART** as follows: The Clerk is directed to terminate Plaintiff's current counsel, Malinda Gaul, from her representation of Plaintiff. Plaintiff will proceed *pro se* in this action. Service on Plaintiff shall be by mail at the following address:

Lloyd White
4000 Horizon Hill Blvd. Apt. 104
San Antonio, TX 78229

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension of Time and Motion for Sanctions [#105] is **GRANTED IN PART** as follows: Plaintiff's response to Defendants' motion for summary judgment is due on or before **January 8, 2020**. Plaintiff's motion for sanctions remains pending.

IT IS FINALLY ORDERED that Defendant's response to Plaintiff's Motion for Sanctions is due on or before **December 15, 2020**.

SIGNED this 3rd day of December, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE